

MINUTE ENTRY
FALLON, J.
JULY 10, 215

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

IN RE: VIOXX
PRODUCTS LIABILITY LITIGATION

MDL NO. 1657

SECTION L

JUDGE FALLON
MAG. JUDGE KNOWLES

THIS DOCUMENT RELATES TO ALL CASES

The bi-monthly status conference was held on this date via telephone with the Honorable Judge Eldon E. Fallon. At the conference, counsel reported to the Court on the topics set forth in Joint Report 85 of Plaintiffs' Liaison Counsel and Defendants' Liaison Counsel. This monthly status conference was transcribed by Court Reporter Cathy Pepper. Counsel may contact Ms. Pepper at (504) 589-7779 to request a copy of the transcript. A summary of the bi-monthly status conference follows.

I. CLASS ACTIONS

By Order and Reasons entered January 3, 2014, following a fairness hearing on December 13, 2013, the Court granted the motion for final approval of the Vioxx consumer class settlement and entered final judgment dismissing with prejudice all Released Claims of the Class against all Released Persons as described in the order [Rec. Doc. 64784].

The class notice program, as ordered by the Court was completed and claims were submitted. BrownGreer advises that the claims review process is now complete and provided a report on the status of payments.

II. PENDING PERSONAL INJURY CASES SUBJECT TO PTOS 28, 29 AND 43

On May 11, 2015, pro se litigant Jamal Ali Bilal filed a Motion for Relief of Order or in the Alternative Motion to Award Costs [Rec. Doc. 65209]. The motion has not been noticed for submission.

On June 5, 2015, Merck filed a Motion to Close Cases With No Pending Plaintiff Claims [Rec. Doc. 65216]. By Order entered June 24, 2015, the Court granted the motion and dismissed the claims [Rec. Doc. 65217].

On June 26, 2015, Merck filed a Motion for Supplemental Orders of Dismissal as to Remaining Open Plaintiffs [Rec. Doc. 65218]. The Court has not yet ruled on the motion.

On July 7, 2015, Merck filed a Fourth Motion for Supplemental Order of Dismissal Regarding Estate Representative Plaintiffs [Rec. Doc. 65219]. The Court has not yet ruled on the motion.

There are seven (7) cases alleging a VTE injury that remain pending. Merck's counsel and plaintiffs' counsel for these cases continue to explore resolution of these cases.

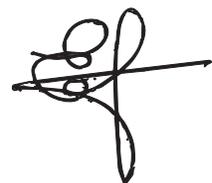
At the last status conference, the Court instructed the parties in the Levitt v. Merck matter to schedule an additional mediation with Special Master Juneau. The additional mediation took place, but did not result in a resolution of the case. Merck will be asking the Court to enter a scheduling order to govern the remaining proceedings in this case and all other personal injury cases that remain unresolved.

III. OTHER PENDING MOTIONS/MATTERS

On September 15, 2011, Ms. Oldfather filed a Motion and Supporting Memorandum to Require Court Approval of Liaison Counsel's Fee of Michael A. Stratton [Rec. Doc. 63389]. That matter was argued on September 21, 2011. No response had been filed by Mr. Stratton. On June 6, 2012, the Court entered an Order [Rec. Doc. 63900] adding this matter to the agenda of the status conference on June 14, 2012, where it was further discussed. On August 15, 2012, Mr. Stratton filed a "Status Conference Memorandum regarding the Liaison Counsel Objection Heard on September 21, 2011" [Rec. Doc. 64064]. On March 10, 2015, the Court issued Order and Reasons [Rec. Doc. 65182] ordering Michael Stratton and the responsible members of Stratton Faxon and of any successor-in-interest firm to produce accounting and supporting documentation on amounts disbursed to him to the Court on or before April 23, 2015. On April 22, 2015, Joel T. Faxon transmitted certain materials to the Court, and it is not clear whether any of those materials have as of yet been filed of record. On May 12, 2015, Ms. Oldfather filed a Motion to Refer Certain Fact-Finding in the Stratton Matter to Special Master [Rec. Doc. 65207]. The motion was set for hearing on May 27, 2015 [Rec. Doc. 65211]. On May 19, 2015, Joel Faxon sent a letter to the Court in response to the motion [Rec. Doc. 65214]. On May 21, 2015, the Court entered an Order that Joel Faxon's letter be entered into the record as a response to Ms. Oldfather's motion [Rec. Doc. 65213]. On May 27, 2015, Ms. Oldfather filed a reply to the Faxon letter [Rec. Doc. 65215]. The motion was submitted for decision on May 27, 2015.

IV. NEXT STATUS CONFERENCE

The next monthly status conference will be held on **Thursday, September 3, 2015 at 8:30 a.m. via telephone**. Any interested persons may participate via telephone by dialing (877) 336-1839. The participant access code is 4227405, and the security code is 090315.

A handwritten signature in black ink, appearing to be the initials 'JOF' with a stylized flourish extending to the right.